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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

2006 AUG 11 P 1:28

U.S. DISTRICT COURT
C.A. 05-11670-GAO
DISTRICT OF MASS.

JAMES J. CARROLL, III)
JOSEPHINE M. CARROLL, et als.)
Plaintiff(s),)
vs.)
JAMES J. CARROLL, JR., et als.)
Defendant(s),)
_____)

The Honorable Justice George A. O'Toole
Presiding Justice

Motion For Reconsideration

Motion to Vacate Order of Dismissal

The plaintiffs Josephine M. Carroll, James J Carroll, III et, als. request the Honorable Justice O'Toole to reconsider the dismissal of the instant action on the grounds of error mistake or inadvertance and on the grounds that the court misunderstood the facts of the case and has already unfortunately made prior mistakes in the case where the plaintiffs had to seek immediate correction.

The plaintiffs submit their brief herewith as a basis for such consideration and request an opportunity to prove their case in court as allowed by law. The plaintiffs are diligently interviewing counsel to overtake the management of the complaint which involves issues which are complex and are not all easily cognizable in a simple explanation.

The plaintiffs by Motion ask for the opportunity before the court to argue the basic facts before the court to allow rights and remedies for their grievances as allowed by law.

The plaintiffs jointly seek by motion :

1. Reconsideration of the facts on which dismissal occurred.
2. Oral argument before the court to clarify the complaint and the issues.
3. An order to Vacate or set aside the Order of Dismissal dated July 18, 2006
4. A protective order due to the fact that the plaintiffs have been irreparably harmed by malicious acts and injuries by parties already permanently restrained.

James J. Carroll, pro se
James J. Carroll, III, pro se

Josephine M. Carroll
Josephine M. Carroll, pro se

August 10, 2006